form, giving the numbers of the various counts on the warrant under which the jury convicted. Judge-As to the residue of the counts, you find him not guilty ?

Foreman-Not guilty. A BREATHLESS MOMENT. The immediate effect of this verdet can be as well imagined as described. The word came like a thunder-clap on all, and was followed by a release of the breath which had been restrained so long in the breasts of the epectators. Mr. Graham, true to his instinct, laid violent hands upon the volumes before him, and like a buildog began to grip at the law laid down before him, fumbling with his eye-glasses, which he adjusted to his nose. Mr. Fullerton looked straight at the jury with a counter nasce immobile and half smiling. The other lawyers of the defense whispered rapidly, the four counsel for the prosecution, Messrs. Tremain, Clinton, Peckham, and Allen, were as dignified and expressed as little satisfaction as they possibly could after their untiring but successful labors, while the central figure in this immediate group, the convicted Tweed, standing out from a background of black-mustached political friends and adherents, exhibited very little of the emotion the decision must have caused him, but glanced first at jury, then at judge, and lastly at his

men, do your worst. I am waiting," An exception from Mr. Graham to any verdict except a general verdict on the counts, and a special exception to the special verdict, and to the finding of not guilty on the counts not embraced in the verdict, quickly folowed. Ex-Judge Fullerton then demanded that the jury be polled, which was done.

counsel, with an air as much as to say, " Well, gentle-

Judge Davis then addressed the jury: Gentlemen, you have had a very arduous labor in bearing, during the trial of the case, a vast amount of evidence. The Court feels bound in discharging you to tender you its thanks for the attention you have paid, and for the

anxious manner in which you attended to this case. Foreman-1 am requested by the jury to say that since you decided to keep us together, we wish to tender you our sincere and heartfelt thanks for the kindness shown us, and also to each of the officers who had us in charge, for the delicate manner in which they performed a disagreeable duty.

THE SENTENCE SUSPENDED. Mr. Graham then moved an arrest of judgment on sev-

eral grounds, but Judge Davis said he would be glad to boar him were he not so fully convinced on the points. Mr. Graham responded that it seemed to him an insult to counsel of his long standing to say that a point which had not as yet been fully argued and which he now raised, was unworthy of hearing.

Judge Davis said he had no such intent. He had simply expressed his feeling that he was so strongly of epinion on these points that it would be a waste of time

opinion on these points that it would be a waste of time to discuss them again; if, however, Mr. Graham desired to submit anything new, he would hear him.

Mr. Graham then stated at length his points again, which are that the Court had no jurisdiction under the statute, that the act of 1870 was repealed by the act of 1870, and that the whole punishment for this offense, under the statute, was only \$250 fine.

The Judge said that he had heard three arguments on this last point by Mr. Root and Mr. Bartlett, and he did not see that it would be of any use for him again to hear arguments which would scarcely change his views.

Mr. Graham submitted that the Court ought to be and was human. It should, so to speak, drop a tear of pity

Mr. Graham submitted that the Court ought to be and was human. It should, so to speak, drop a tear of pity on a fallen foe. Now that the javelin of the law had pierced the defendant, mercy was not out of place, and a delay of a few hours was not untair.

Judge Davis refused to delay sentence until next week, but finally gave Mr. Graham until Saturday.

Mr. Alien here moved to commit Tweed to custody, and the Court ordered him to be placed in the custody of an office.

I an once.". Mr. Tremain said it was only fair to the defense to say hat they should, in moving for judgment, move for a should, in moving for judgment, move for a entence on each count. ham insisted that the Court had already de-

Mr. Grabam insisted that the Court had already decided this matter, but the Court said it had not, but desired argament on this important question.

Mr. Phelps, the District-Attorney, then moved the case of Ingersoil and Farrington for Friday, but it was finally decided to call the panel for Monday.

The prisoner was then removed in the custody of Sheriff Brennan and Deputy-Sheriff Shiekis.

LIMITS OF THE SENTENCE. The verdict recorded upon the books of the

"Guilty upon the Davidson counts, numbering 213 to 16 in.lusive: the Garvey counts, numbering 37 to 60, 69 to 198, and 129 to 269; and the Keyser counts, numbering 1 to 36, 61 to 65, 109 to 112, 13 to 116, and 117 to 128. Not guilty on the residue of counts." clerk is as follows:

Much curiosity was expressed, yesterday, by those who witnessed the trial, and others, to learn whether or not Tweed could be sentenced on the various counts on which he had been found guilty, or whether the "Omnibus" indictment covered all the counts. Law-yers were divided on the subject, and preferred not to e quoted until they could examine the law on the sub Many really thought that Tweed could be senjudiciment : or, in other words, as there were 220 counts to the indictment, he could be sentenced to 220 years' anneat, and fined an aggregate of \$55,000. The owing is an extract from an opinion rendered by

Davis during the first trial of Wm. M. Tweed,

when the question came up whether or not the "Omni-

indictment covered one or more offenses: In such cases defendants are very often embarrassed by the unities of the offenses in the same indictment, but I have never known an instance where the party could be embarrassed by the combination of a great variety of misdemeanors. On the contrary, in my judgment, the party who is thus charged with a variety of misdemeanors in a single indistment, instead of having 40 or 50 judgetments against him, is greatly religant from 40 or 50 indictments against him, is greatly relieved the consequences of the offenses from the inct that they are brought in a indictment. In this case there might be 55 punish counts are all true and there were 55 indicated, while the single act of uniting them in the state in the state of the sta istment to a single one. The result is that the defend-ant, instead of being injured, is substantially benefited by protection against the numerous punishments for the same offense.

athe offense.
This would seem undoubtedly to indicate that in the opinion of Juoge Davis the prisoner can only be sen-

TWEED AFTER CONVICTION. Much comment was caused by the fact that Tweed was committed to the custody of the keeper of the City Prison, but that instead of being taken to the Tombs he was taken in charge by the Sheriff. There is nothing strange in this proceeding. The usual commitment was made out by Mr. Sparks, the Clerk of the Court. by order of Judge Davis, who then requested Sheriff Bren nan to take the prisoner in charge. This was done, and the Sheriff is responsible for the safe keeping and production of the prisoner on Saturday next for sentence. On leaving the Court-room, Mr. Tweed proceeded with the Sheriff to the office of the latter, and was there given into the custody of Deputy Sheriffs Shields and Cahill. Accompanied by the Deputy Sheriffs, Tweed prooffice, and was engaged for some time arranging his papers. A number of persons called during this time, but he declined to see all out one or two intimate friends. He professed to be satisfied that his counsel would procure a stay of proceedings, and ultimately a new trial. Late in the afternoon Tweed accompanied by his guardians, proceeded to his up-town

Mr. Tweed's counsel decline to say just what course will be taken by them. Indeed it is not certain that their course of action on Saturday has been definitely

THE "OMNIBUS" INDICTMENT

The indictment upon which Tweed was tried was known as the "omnibus indictment." It contained 220 counts, and when printed occupied 1,050 large octave pages. He was found guilty on the counts covering the bills of Alexander McBride Davidson & Co., Andrew J. Garvey, and Keyser & Co., and acquitted on the counts which included the bills of Ingersoll & Co., C. D. Bollar & Co., and George S. Miller. From the first count of the indictment, as follows, the character of the other 219 may

The jurious of the people of the State of New-York, in and for the body of the City and County of New-York,

and for the body of the City and County of New-York, open their oath, present:

That by the fourth section of an act of the Legislature of the State of New-York, entitled "An act to make turther provision for the government of the County of New-York," passed April 26, 1870, it was enacted that all inabilities against the County of New-York, incurred previous to the passage of the said act, should be added by the Mayor of the said City of New-York, the Controller, and the then President of the Board of Supervisors of said county, and that the amounts which should be found to be due should be provided for by the issue of revenue bonds of the County of New York, payable during the year 1871, and that the Board of Supervisors in the ordinance levying the taxes for 1871, insert an amount sufficient to pay said bonds and the interest thereon, and that such claims should be paid by the Countroller to the party or parties ing the taxes for 1871, insert an amount sufficient to pay said bonds and the interest thereon, and that such claims should be paid by the Comptroller to the party or parties entitled to receive the same upon the certificate of the officers named in said section. That at the time the said act because law, and at all times hereinatter referred to. Abraham (Oakey Hall, was Mayor of the City of New-York, Elebard B. Connolly was Controller, and William M. Tweed was the their President of the Board of Supervisors; and that at the time last aforesaid and at the said City and County of New-York, the said Abraham Oakey Hall, Mayor, the said Richard B. Connolly, Controller, and William M. Tweed, President as aforesaid, accepted the said public office, trust, and employment as anothors, and entered upon and assumed the performance of the duffice enjoined upon them respectively as aforesaid in the 4th section; and that at at the times discretization referred to, they and each of them, being such officers and holding the public trust so arosing under said section, were bound faithfully to perform such duffers, and not to willfully neglect to perform and duffes or any of them, and not to do any act pronage duffer so any of them, and not to do any act pronage duffer so any of them, and not to do any act pronage duffer to perform and further present that at the due of the Uassage of the

act there was a certain liability against the said County of New-York, incurred previous to the passage of the said set and provided for by the section, and of the kind of liability referred to in the section, namely, a liability of the County of New-York to pay for certain work, labor, and materials furnished to the county by due sutherity previous to the passage of the said act by certain persons doing business then and there under the name of Keyser & Co., and which liability was at the time hereinsfiter mentioned set for the na certain paper which contained a written statement of the claim of Keyser & Co., namely, a statement of work alleged by said Keyser & Co. to have been done, and of labor and materials rurnished to the county, of which the following is a copy: tc.1

County Audit, No. — COUNTY EXPREDITURES.

City And County Expression To Keyser & Co.; residence, — Dr.

[Bill of Keyser & Co. appended. On the face of the bill and covering the items of Ang. 20 and Ang. 22 is written. We hereby certify that this bill is correct. Wm. M. Teecd Chairman of Committee; if A. Woodward, Clerk of said Committee; if A.

A PAINSTAKING JURY. A reporter of THE TRIBUNE saw David Paimer, foreman of the jury, last evening at his residence, No. 52 Seventh-st. In reply to the reporter's questions Mr. Palmer said that the jury had agreed mong themselves not to divulge anything which oc curred in the jury-room regarding the ballot as taken at various times. He said that some of them did not un-derstand what the fourth count contained. The portion under consideration was, "Corruptly audited the ac-They returned to Court on Tuesday counts." evening and asked, "What constituted the fourth and yesterday morning they asked for further instructions regarding the evidence applied to the same. Thus little progress had been made during the night, but as soon as the portion in doubt was ex plained to them the verdict was rendered immediately by a full ballot. Mr. Palmer said that he did not believe that any member of the jury had any interest in the prosecution or defense. They simply intended to do their duty, and give their verdict on the evidence presented to them. The case, he continued, was a curious one, but they took great pains to understand each count clearly. Before the ballot was taken on each count-for they were taken up and disposed of one by one-the question was put to each man, " Do you clearly understand that ?" If any misunderstanding was manifested a discussion took place, and the vote not recorded until every one knew what the count was, and knew how he was voting. They had been very careful, and although the work was long and tedious, not a count was passed upon until it had been thoroughly canvassed. The only misunderstanding was on one count only-the fourth count-and when the jury retired yesterday morning, after hearing the Judge's explanation, they soon agreed on that. Mr. Palmer said that the jury were very harmonious throughout the entire proceedings, and parted in a pleasant and friendly manner, each one knowing he had done his duty. Mr. Palmer would not give the result of the first ballot, but from his remarks, the reporter judged that the verdict was a unanimous one from the first.

The reporter also called on Mr. William Schlenm No. 115 Second-ave., but that gentleman refused to give any account of the deliberations of the jury, because they had agreed among themselves not to do so. He said they had no object in making the agreement, any more than any party of gentlemen would object to an one repeating what they had done privately. He said they did not fully agree on the fourth count until the Judge had given them further instructions, but when this had been done their work was soon over.

ARBEST AND CONVICTION OF COUN-TERFEITERS.

TRIAL AND CONVICTION OF A GANG OF COUNTER-FEITERS IN NORTH CAROLINA-WEALTHY FARM-ERS, STATE AND NATIONAL OFFICIALS FOUND GUILTY OF UTTERING AND DEALING IN COUN-TERFEIT MONEY.

FROM AN OCCASIONAL CORRESPONDENT OF THE TRIBUNE. ASHEVILLE, N. C., Nov. 17 .- To-day I send you the results of the trials of a portion of the great gang of counterfeiters, "shovers" and dealers in the "queer" in this State. North Carolina, Tennessee, and South-Western Virginia have of late been overran with counterfeit money. Inte The bills and fractional currency, and the silver and gold coin, though poor and generally very martistic in make, have found among our too greedy merchants and drovers and too ignorant mountaineers a ready transmis sion from hand to hand, but the facts elicited prove that men, including the names of rich planters, dealers in live stock, and officeholders have lent their active assistance in these nefarious transactions, and have given a sort of coloring of respectability to the business.

Judge Dick has concluded the labors of this session of his Court at Asheville, and last Saturday it was adjourned. The Court has been employed in trying the persons charged with issuing and dealing in counterfeit money, and the records of Saturday night show the following convictions: David Frazier, for passing and dealing in counterfeit gold coin of the denomination of \$2.50, was sentenced to hard labor in the Penitentiary for three years. Lee Becker, a resident and planter in West Virginia, was convicted as a wholesale dealer.

Jason S. Hyde, who was formerly the High Sheriff of Graham County, was found guilty of conspiracy with others to pass and deal in counterfest money, and was entenced to hard labor for two years and to pay a fine ot \$1,000. The fact came out in his trial that this man hitherto trusted with the execution of the law, has been for years hand-and-glove with robbers. Adam Cable was sentenced for two years at hard labor and a fine of \$1,000. He is a rich planter of Cheowah, Graham County. He is one of the most villainous-looking of the gang, but his wealth has enabled him to shield himself from the consequences of his numerous orimes. Joel Loving received a similar sentence. He has been one of the most active of the dealers and "shovers" in this State. R. L. D. Burchfield of Charleston, Swain County, got the full benefit of the law-two years and a fine of \$1,000.
During the war he was first in the Confederate service, and then a captain in the Union srmy. Before the war he was tried and convicted of murde and sentenced to be hanged, but escaped the gallows by some trick of the law. Not long since he was present at the execution of a murderer, and while the black cap was being drawn over the face of the eniprit he noticed him in the crowd and charged him with being an insti gator of the crime. He has been shot at repeatedly, and prominent in the center of his forehead is a bullet prominent in the center of his forehead is a builet wound, and yet this man since the war has been a deputy marshal of the United States, and engaged, not only in compounding crime, but in high acts of crime personally against the Government which he had sworn to defend and protect. The result of his trial is a very satisfactory one to the law-abiding citizens of this State, and reflects the highest credit upon the brave and most efficient officer of the Secret Service of the Government, whose skill has brought him to his just desorts. Mrs. Loulas Fennelly was only given six months in Jall. See was arrested in Knoxville. When arrested she had some \$200 in counterfeit money on her person. Mrs. R. L. D. Burchfield was convicted, but in consideration of sex and the fact that she has a babe about eight months old, her sentence was suspended. The most notorious of those who were convicted and sentenced to hard labor, was Joseph Becker. He is a dark, saturnine-looking wretch, and though intimately connected with his gang, was, when arrested in Texas, in the employ of Spears & Howek, as a bar-tender. He is an ex-member of the North Carolina Legislature, and as such, has been mitrusted with the making of the laws of this State.

The arrests in the south-western section of this State have been 49, and have been disposed of as follows: Forty-nine bills of indictment-have been found against persons connected in some way with counterfeiting and altering counterfeit money; two have been disposed for a follows: I have been ignored by the Grand Jury; seven have been convicted and sentenced; it we escaped after arrest by the special deputies; if we are now in jail waiting three plead guilty, and the remainder are out on bail.

The gangs of counterfeiters are technically known as wound, and yet this man since the war bas been a deputy

by the special deputies; five are now in fail waiting trial; three plead guilty, and the remander are out on bail.

The gangs of counterfeiters are technically known as the Pleasant Black, the McFee, the Graham County, the Burchfield, and the Mitchell and Yancey County gangs. Pleasant Black is over 70 years of age, and for 46 years has been in the counterfeiting business. He is worth fully \$46,000, and is a dry goods merchant and hotel keeper. In his gang are the names of Addison Perkins, Lee Becker, Jake Lincoln, George W. Wheeler, D. Spears, Joseph Becker, Ed. Lipe, F. L. Bradsaw, and W. A. Howek. These men have all been acting in concert in flooding the country with the spurious "stoff." McFee is a Canadian by birth, and has been engaged here as a manufacturer of gold and sliver coin. He is a partner of Howck's, and his gang foeludes Jo. Becker, a member of the N. C. Legislature, and, when arrested, foreman of the Grand Jury, of Rowan County; David Frazier, Daniel Lipe, Joseph Gray, John R. King, J. A. and C. F. Lowder, William Bryant, and Flynn Bradshaw. The names composing the Graham County gang are Jason C. Hyde, J. C. Howck, Julius Branshaw, Henry Ditmon, Mrs. Pennelly, Adam Cable, Jacob Ross, D. C. Goronley, and Joel Loving. The Burchfield gang comprises R. L. D. Berchfield, C. Burchfield, Hiram Barber, Levi Canmbers, Glen Francis, Sanuel Toorapson, Y. Wharton, Samuel Jonkins, and G. W. Hickey. The Mitchell and Yancey County gang headed by Class Buchana, with Boo Buchanan, Jose, Green (a Sunday-school teachery, J. L. Hyatt, Henry E. Edney, Dr. J. Blackburn, Jack Porter, Henry Butler, Jonn Hill, Davis Hul, Natham Burchfield, Spencer Barmard, Buck Sloub, and Joun Ceane. This gang is now waiting Irial.

LOCAL MISCELLANY.

THE HARLEM BOILER EXPLOSION. BEGINNING OF THE CORONER'S INQUEST - THE BOILER UNANIMOUSLY PRONOUNCED UNSAFE-TESTIMONY OF DAGGETT, THE CARPENTER-EN-GINEER.

The investigation into the causes of the explosion of the steam boiler at Fourth-ave, and One-hund-red-and-twenty-seventh-st, on Nov. 11, by which seven persons lost their lives and many others were injured, was begun by Coroner Kessler yesterday morning in the presence of a large number of spectators. There was an mposing array of counsel, Dillon, Clyde & Co. being represented by Messrs, Alexander Thane, George T. Stewart, and Mr. Koch; Bemer & Coyle by Otls T. Hall; Barnum, the engineer, by George Schwab; Balmore, the owner of the boiler, by Jacob Veterich; and Tracey, Cattell & Brodhead appeared for the families of the little boy Brett and the Italian girl, two of the victims.

The testimony was nearly all that of persons who were present at or lived near the scene of the explosion, and the evidence was important, as showing that no one was in constant attendance upon the boiler; that fears had been expressed of its safety; and that a boy was frequently left to take care of it. Further than this, one witness testified that he had seen the boiler entirely deserted by those who should have been constantly watching it.

Coroner Kessler began the proceedings with an address to the jury. John Ormston of No. 2,370 Fourth-ave, was the first witness called. He stood in the Courthouse looking at the workmen moving the boilers when the explosion occurred. The engine was on a platform, and wooden rollers were placed under it to move it. At the time of the explosion the men were in the act of raising the machine, and it rested upon one corner, so that they could put a roller under. All the other boilers that the witness had seen at the Fourth-ave. work, had been on wheels and been movediby thorses He thought that the explosion was caused by carelessness. A man named Daggett, and a boy, his son, wergenerally in charge of the boiler. The boy was usually at the boiler, and Daggett ran the engine. In answer to the question of a gentleman present, the witness said that the steam was not let off while the boiler was moving.

Henry Baker, a barber, of One-hundred-and-fifteenthst. and First-ave., had seen the two Daggetts, father and son, in charge of the boller; he never saw Barnum, the engineer, there at all; sometimes he saw the boy there alone; he was not paying any particular attention to the boiler on the afternoon of the explosion. Peter Jackson, a practical engineer, foreman of the jury, was requested by the Coroner to ask any questions in relation to the boiler which might suggest themselves. He obtained no additional information from this witness,

however. Henry N. Dryer, proprietor of a grocery store at One-hundred-and-twenty-eighth-st. and Fourth-ave, was in his cellar when the explosion occurred. He heard the noise and the breaking of glass, and all the heavy goods in his store tumbled down. He ran out and saw the headless body of Miss Bassford in front of his door, the dead Italian girl on the bridge, and the broken boiler and debris scattered about. Witness had never seen the engineer, Barnum, until he saw him in court He had seen the Daggetts in charge of the machine, and often saw the boy there alone. Before the explosion he had heard people say that the persons in charge of it were not engineers. Mr. Jackson asked the witness whether the boiler was "canted" while it was being moved. The witness did not know, and the jaror then explained to his fellow-jurors the nature of superheated steam and the danger of explosion from "canting" or tilting a boiler with steam on.

John Bick, keeper of a saloon opposite the scene of the disaster, gave evidence which corroborated that of the preceding witnesses. He never saw Barnum in charge

Henry A. Beyer, a baker, at No. 2,352 Fourth-ave, was in his shop when the explosion took place. As soon as he heard the noise he said, "That's the boiler;" he said so because it was an old, rusty-looking thing, and he was always afraid it would explode; he had seen the two Daggetts in charge of the boiler, but had inever seen Barnum there.

im there. twenty-first-st. corroborated the testimony of witnesses as to the manner of moving the boiler, a the Daggetts being in charge of it; witness had pr the Daggetts being in charge of it; witness had prophesied before the accident that the boiler would explode; he saw a crack in the front of the boiler which had been filled up with white lead; a man named Maguire was with him at the time, and he said that he would not like to stand within fifty feet of that boiler; this was about a week before the explosion. Mr. Jackson began asking questions of and arguing with the witness, and was finally checked by the Coroner, who said he must protect the witness. The witness thought the crack was about 20 lackes above the door, and was about 10 inches long. Arguinent here ensued between the Coroner and various counsel as to whether the crack opened into the fire-box or into the boiler, and a rambling and desuitory discussion took place.

Officer John W. Garside, of the Hariem Folice Court, while watching the holsting machine, to which the boiler

a rambling and desultory discussion took place.

Officer John W. Garside, of the Hariem Police Court, while watching the holsting machine, to which the boiler was attached, not long since, heard the boy Daggett say to the man attending the brake, "You watch the steam gauge; I'm going to get water;" this was the first time witness know who had charge of the boiler; the man who was attending the brake of the holsting machine had plenty to do without watching the boiler; witness could not say that he ever saw any one in charge of the boiler except the boy, in this one instance; he was in the holst of watching the men working about the boiler.

George W. Bassford of No. 51 East One-hundred-and-twenty-fifth-st, father of the Miss Bassford who was twenty-fifth-st, ather of the Miss Bassford who was twenty-fifth-st, ather of the boiler in the city, and went to cross the bridge at One-hundred-and-twenty-fifth-st. There was a large crowd, and he saw the body of the little Italian girl; witness afterward for the boiler's safety, noticing that it looked dilapidated and rusty, and the hoisting tackle frequently got out of order. Witness said that he had been told that isaac H. Fellows, engineer at the brewery opposite where the boiler which had been told that isaac H. Fellows, engineer at the brewery opposite where the boiler stop had examined the boiler the keep of the boiler was then reduced and rusty, and the hoisting tackle frequently got out of order. Witness said that he had been told that isaac H. Fellows, engineer at the brewery opposite where the boiler before the extend had examined the boiler to make the company of the mans has ocen tried, be conferred again on the principals of the restoration of corporal punishance in extreme cases, after every other reasonable means has ocen tried, be conferred again on the principals of the restoration of corporal punishance in first time beyone restoration of corporal punishance in fact again on the great again on the principals of the restoration of corporal punishance in and rusty, and the mostling lacear frequently get of order. Witness said that he had been told that Isaac H. Fellows, engineer at the brewery opposite where the boiler stood, had examined the boiler before the explosion, and had prenounced it unsafe; witness had frequently seen the boiler with no one in charge of it or near it; he had not remained near it long himself, always being apprehensive of danger; while the men were moving it had frequently seen the boiler "canted" over to one side.

John C. Daggett of No. 1 East One-hundred-and-depend that he was a correct the

were moving it had frequently seen the boiler "canted" over to one side.

John C. Daggett of No. 1 East One-hundred-and-twenty-second-st. deposed that he was a carpenter by trade, but had run the hoister attached to the boiler for two weeks, having been engaged by heler & Coyme, the contractors; did not have charge of the boiler, except under the direction of the engineer, John Barnum; fild no specific order as to work from his_employers, but had general charge of hoisting the dirt from the pit to fill in the street. The witness did not testify very clearly as to who had charge of the moving of the coller. Mr. Barnum had charge and was present most of the time; they becan to move the engine a short time before the explosion; they never moved it without the foreman's orders; Mr. Barnum was present when they began to move; looked at the boiler and said that everything was right; wit ness never fed the boiler nor had anything to do with it; occasionally he went in presence of the engineer and looked at the ganger, but never turned the water on himself; did n's think that any one ever did anything to the boiler awithout the engineer's orders; witness was four feet from the boiler when it exploded, and heard no premonitory sounds; he was not injured beyond being thrown violently to the ground, and scorched somewhat about the face and neck; he had no opinion as to the cause of the explosion; thought there had been no fuel put into the fire just before; the hire-door was open, as was generally the case when the boiler was moved; just before the explosion winness tried the gauges and found water at the upper one; no steam was blowing off, to his knowledge; did not know what the maximum pressure was at the safety-valve; the work into pressure was from 60 to 70 pounds; the water was conveyed by a rubber hose across the pit into a barrel, and pumped into the boiler; injecting water was the last thing done before beginning to move, the gange registering at this time 40 pounds; did not know what the pressure was at the time

DISCORDANT BROOKLYN OFFICIALS

At a meeting of the Brooklyn Board of City Vorks, held yesterday, a report was received from the General Superintendent of Sewers, aunouncing that the assessment for the expenses of building the Hudson-ave. sewer had been apportioned upon the property benefited by the improvement. A resolution was adopted that a survey be made of Adams-st., and that all neces sary information relating thereto be furnished to the Common Council, as requested.

For some time past, especially since the election it

has been rumored that the cordial feelings between the Commissioners have ceased to exist. This was exemplined yesterday when a sharp and acrimonious discussion took place between Commissioner Fowler and Commissioners Palmer and Whiting in regard to complaints which the former said had been justly made against the department for refusing to respond to certain resolutions which had been passed by the Board of Aldermen relating to matters concerning which the Department o relating to matters concerning which the Department of City Works possess solitary information. Commissioner Whiting expressed his surprise at the state-ment, and professed to be ignorant that any resolutions had been unattended to. Commissioner Fowler replied that in any event no harm could grow out of asking the Secretary to make a suitable grow out of asking the Secretary to make a suitable response. He thought unnecessary delays had occurred in answering the requests of the Common Council. Commissioner Palmer remarked that Mr. Fowler had suddenly, as with an electric shock, awake to the realization that something is wrong in the Department of City Works. He suggested that Mr. Fowler's absence during the Summor at Lake George night have had something to do with any delay that occurred in replying to resolutions or inquiry offered by Aldorman Wylie and others in the Common Council, and charged Mr. Fowler with causing the resolutions to

be unnoticed by his special request. Mr. Fowler contradicted the assertion, and added: "I have no purpose in offering the resolution except to respond to the request of the Common Council, whose wishes I have always respected." The Secretary was directed to report to the Board of City Works any resolutions of the Common Council that have not received attention, with the reasons therefor.

PUBLIC SCHOOL MEASURES. THE REVISION OF SALARIES DEFERRED-APPEALS FOR THE RESTORATION OF CORPORAL PUNISH-

MENT. The regular meeting of the Board of Education was held yesterday afternoon in the hall of the Board at Grand and Elm-sts., all the members being present except Commissioners Hoe and Keily. A communication was received from Mayor Havemeyer announcing the reappointment for three years of the seven amissioners whose terms of office will expire on Jan. 1, 1874, as stated in THE TRIBUNE of yesterday; also the

those whose terms will then expire: First District, John Patten: Second, Washington Thomas; Third, Charles Spear; Fourth, Harvey H. Woods; Fifth, Alexander McL. Agnew; Sixth, Mark Blumenthal; Seventh, Feodore Microon.

appointment of the following Inspectors of Common

Schools for three years from Jan. 1, 1874, to succeed

The City Superintendent presented his report for October, in which he stated that since the last report all the corporate schools which are subject to the supervision of the Superintendent have been visited and inspected according to law. There are 46 of these in all, with 183 teachers, of whom, however, only 45 hold licenses from either the city or State. Whereas, the Superinteneent thinks all should be obliged to have them as evidence of proper qualifications, since their salaries are drawn from the general school fund; furthermore, as the State school fund is distributed according to the number of licensed teachers, the city loses \$47.56 on each unlicensed one, reaching a considerable sum of money in the ag gregate to which it is really entitled. One hundred and seventy-one classes were examined in these schools, i most of which the instruction appeared to be efficient The whole number of pupils on register was 10,240, with an attendance at time of examination of 8,257. The average for the year ending Sept. 30, 1873, was 8,302. The provisions of the law prohibiting the teaching of sectarian tenets, &c., appear to be complied with, except that in some of the schools of the Children's Aid Society it is reported that the teachers have made a practice of commenting on the passages of the Scriptures read at the opening and of using the Bible as a text-book, contrary to the regulations of the Board, while in some cases, also, the Apostles' Creed has been fre cited by the scholars. This has, however, been ordered to be stopped by the Secretary of the Society, he is informed. The teachers employed appear to be efficient, and, as a class, zealous and industrious, but their opportunities for teaching are too limited to produce entirely satisfactory results. The order and discipline of many of these schools appear to be very deficient. In the schools of the Female Guardian Society, it is reported that the order is frequently imperfect, and that the work done is neither thorough in character nor important in results. This he deems to be due in a degree to defective organization and perhaps to a want of sufficient supervision. He has also caused all the evening schools, except the high schools, caused all the evening scoods, except the high schools, to be inspected. Of 307 classes examined, 283 were found to present a creditable appearance in respect to order, and scemed also to be under efficient instruction. All teachers deemed incapable of properly conducting their classes have been removed, and more competent ones appointed instead; 18,236 papils have been registered in these schools since they opened, and the average attendance has been 12,350. All indications promise the accomplishment of mucu efficient service by these schools during the present Winter. The mouthing treturns for October from the several grammar and primary schools show a registered number of scholars of 12,352, and an average attendance of 92,361, which latter is 3,399 in excess of that for October, 1872. The number of days of teachers' absences was 1,463, or 584 less than during the same month of last year.

The Committee on Salaries and Economies, to which was referred, several months are, an autonument to the By-laws, offered by Commissioner Beardslee, providing that all principals of female grammar schools shall receive the maximum salary, instead of those only who have served for ten years, or of large schools, presented a report adverse to the adoption of the amendment. The report, which was signed by President Neilson and Commissioners Farr, West, Vermilye, and Brown—a bare majority of the Committee—was accompanied by no reacons whatever for refusing to make the change, for which the 13 ladies now debarred from receiving the full salary of their position have repeatedly and earnestly to be inspected. Of 307 classes examined, 28

majority of the Committee—was accompanied by not seens whatever for refusing to make the change, for which the 13 ladies now debarred from receiving the full salary of their position have repeatedly and carnestly petitioned with strong arguments. As the extra expense incurred by granting the request would be less than \$2,100, which it is claimed the Board sould easily afford under the circumstances, the action of the Commissioners who signed the report is regarded in some quarters as decidedly arbitrary.

The report of the Committee on Teachers relative to the restoration of corporal punishment in the public schools was called up, but after considerable discussion was made the special order for the next regular meeting. The report recites that after a careful consideration of the subject, and consultations with numerous principals and teachers, the Committee believes that for ing. The report recites that after a careful consideration of the subject, and consultations with numerous
principals and teachers, the Committee believes that for
the proper maintainance of discipline and the better
promotion of instruction in the schools some more effective measures than those now allowed are needed oftentimes by the teachers, and it recommends that the power
to inflict corporal punishment in extreme cases, after
every other reasonable means has been tried, be conferred again on the principals of male grammar-schools.
A petition in favor of the restoration of corporal punishment in the schools, signed by over 1,200 principals and
teachers, was presented, and set forth the importance of
having some more efficient means of governing unruly
and indolent scholars.

MUNICIPAL POLICY.

THE ALDERMEN VOTE TO GIVE THE DEPARTMENTS OF PUBLIC WORKS AND PARKS \$1,000,000 EACH, TO FURNISH WORK FOR UNEMPLOYED LABORERS THE EXHIBITION LOAN VOTED DOWN.
The Board of Aldermen met yesterday, Presi-

dent Vance in the Chair. Aiderman Morris offered a resolution requesting the Board of Apportionment to appropriate \$1,000,000 each to the Departments of Public Works and Parks. Alderman Morris said that the question was an important one, and he felt reluctant in introducing it, but he thought that the unemployed laboring men of this city, numbering from 10,000 to 30,000 persons, should be employed rather than be supported by charity. He knew that the Board of Estimate and Apportionment would give respectful consideration to the resolution, and he had made careful inquiries and had ascertained that at least 5,000 men could be employed in each De-

partment.
Salem H. Wales, President of the Department of Publie Parks, said that he could carry on the work in Morn ingside and Riverside Parks during the Winter if he had the money to do so.

Commissioner Van Nort said that the appropriation of \$1,000,000 would not do his department much good, as the public improvements had to be paid by assessments on the land improved. If the Common Council would and-tenth-st. He said that \$2,500 men are now employed on the public works. On November 1 he had 3,000 men, but since then 700 had been discharged, and 200 of them employed again. The resolution was adopted, Alderman Ottendorfer, only, voting against it.

Alderman Reilly offered a resolution which was adopted, that \$500,000 be added to the appropriations are to be expended to the appropriation are to be expen

same to be expended in repairs to street pavements.

Alderman Billings moved that the Board take up and consider the Provisional Estimates for the year 1874, and Alderman Koch amended the notion by moving that the estimates be referred to the various Committees of the Board, the same to report at a special meeting to be held on next Monday. The amendment was accepted

be held on next Monday. The amendment was accepted and adopted.
Alderman Morrisimoved to take from the table the resolution appropriating \$2,500,000 to the Industrial Exhibition Company. This being done, he moved the adoption so that a vote would be taken and the bill killed. Some of the members in voting explained their votes, and the result was as follows:

Affirmative—Aldermen Finanças, Kehr, and Koch—3.
Kegaire—Aldermen Vance, Billings, Cooper, Clauses, Falconer, Lyanght, Menheimer, Morria, and Van Schalch—9.
Alderman Reilly was excused from voting, and Alderman Ottendorfer said that he felt prohibited from voting, being an interested person.

The INDUSTRIAL EXHIBITION.

THE INDUSTRIAL EXHIBITION.

The Board of Assistant Aldermen met yesterday, President Wade in the chair. Assistant Alderman Healy, Chairman of the Special Committee appointed to bear persons for and against the loan of \$2,500,000 to the Industrial Exhibition Company, reported that the Committee begged leave to recommend the rejection of the resolution. Their reasons for this action are, in brief, as follows: A similar project has failed in sother countries, and the public would not support an open ifrom year to year.
referred to the exhibitions
can institute for two months each exhibition kept The Committee given by the Americ proposed was required, the American Institute could keep open for a longer period. The passage of the bits on the ground that workmen could be employed they have a unreasonable. on the ground that workmen could be employed they thought was unreasonable, as men will soon be em-ployed in the unfinished public works in this city. The tompany says that a grand art museum would be intro-duced, but the city is creeting a marniflyent

building on Manhattan equate for the same purpose, and to which the admission will be free. Finally, they state that the city debt is now over \$100,000,000, and it has been estimated by those competent to judge that when the works already projected and those improvements made necessary by the changes in the geographical limits of the city are completed, this debt will have swelled to \$200,000,000. They state, therefore, that it is unwise imposition, and unjust to their constituents to add to this indebtedness \$2,500,000 for a work which, to say the least, would be of questionable value to the city. The report was signed by all the members of the Committee excepting Assistant Alderman Kehne, who was absent when the signatures were placed on the report. need on the report.

On motion, the report was received and adopted by

the following vote:
Affirmative—Assistant Aldermen Foley, Claner, Wisser, Healr, Theiss, Thornell, Coddington, Strack, Bracks, Somers, Berez, Simenson, Kreps, Keenan, and Wale—15.
Ngaitve—Assistant Malerman Kelly—1.

BOARD OF APPORTIONMENT. The Board of Estimate and Apportionment met yesterday in the Controller's office, Mayor Havemeyer in the chair. Controller Green moved that \$75,000 be appro printed to the Police Department, to pay laborers for cleaning the streets during November and December. The metion was adopted. A resolution was offered by the Controller appropriating \$3,000 to pave the alleys

the Controller appropriating \$3,000 to pave the alleys between the new stands exceted at Washington Market, and to plank the Vesey-st. pler. The Controller said that the stand-owners had exceted their stands at their own expense, and the improvements were much needed. The resolution was adopted.

A resolution was adopted authorizing the Controller to issue \$1,315,000 in street improvement and assessment bonds, to take up the same amount which will fall due before Jan. I. 1874. A communication was received from the Commissioner of Public Works, asking the Board to authorize the Controller to issue \$300,000 additional Croton water main stock, to lay pipes so as to enlarge the distribution of Croton water throughout the city. The communication was laid over.

THE POSTAL SERVICE.

Charges are frequently brought against Post-Office employes by persons losing money sent through the mails. The Post-Office officials claim that in a large proportion of cases the thefts are committed by clerks or messengers of the persons sending or receiving money, and Postmaster James has established a detective system by which the guilty are usually discovered. The Post-Office officials tell of instances in which the guilt of persons apparently above suspicion has been brought to light. In one case a young boy of previously blameless conduct abstracted a \$50 note from a letter which he afterwards registered, and in another a confidential clerk was found to have been in the constant habit of taking letters from his employer's mailbag.

The work of the money order department of the Post-Office is steatily increasing, as is shown by a compari-son of the business of the New-York Post-Office for the

| Money orders paid Oct. 1 to 18, inclusive. Money orders paid Nov. 1 to 18, inclusive. Increase. Deposits received from Postmasters Oct. 1pto 18, inclusive. Deposits received from Postmasters Nov. 1 to 18, inclusive. | \$287,115 00 387,138 00 |
|--|--|
| Deposits received from Postmasters Oct. 13to 18, inclu- nive. Denosits received from Postmasters Nov. 1 to 18, inclu- 170 | \$100,023 00 379,493 49 496,783 13 |
| Deposits received from Postimasters Nov. I to 18, inclusive. | \$87,289 64 |
| In the second se | 563,390 31 |
| Townson . | 1.110,346 50 |
| Money orders issued Oct. 1 to 18, inclusive | \$546,956 29 55,341 28 59,313 88 |
| Increase | \$3,972 60 |

The steamer Morro Castle of the New-York and Havana direct mail line arrived at this port yesterday, after a very stormy passage. On Monday night, when off the Delaware coast, the barometer sank to 28.65-a point which the captain of the steamer had never seen reached before in that locality. A terrific gale followed, the worst he had ever experienced, and the vessel was obliged to "lav to" for 36 hours. During the gale Wm. Hanway, a fireman, while standing near the pumps, was seriously scalded about the face, neck, and hands.
The steamship Silesia, which arrived from Hamburg

yesterday, reports encountering a terrible gale from the north-west on the 15th inst. When 12 miles from Fire Island she sighted a sunken schooner with the tops of the masts only visible.

OFFICIAL VOTE OF 10 WA.

RESULT OF THE OCTOBER ELECTION-VOTE ON SU PREME JUDGE AND SUPERINTENDENT OF PUBLIC

INSTRUCTION. -1873-SUPT. PUB. INSTRUC'S, SUPRESE JUBUS. SEC'T STAT Rep. Ann.M. Rep. Ann.M. Rep. Li Hall, 363 Abernethy, Prindle. Bock. Hall.
722 362 721 363.
373 533 373 554.
1,090 1,084 1,031 1,031
1,206 873 1,213 1,427. Young. 207 292.. 184 1,813 1,848.. 2,515 1,80**6** 1,364... 1,605 131... 1,845... 2,515 751... 2,514 1,139... 1,421 421... 1,500 1,411... 1,888 33... £15 194... 1,442 Black Hawk .. 1,513 751... 1,205 1,139... 1,368 421... 1,191 1,411... 57... 29.. 549 190.. 1,207

, 214 190. 1,207 ,200 112. 3-56 419 213. 429 867 865 1.544 1,021. 1,345 1,000 114 1,055 535 642 1,164 1,157 774 788 105 . 343 313 . 411 426 . 1,008 1,024 . 2,219 116 . 913 462 449 . 1,127 754 . 1,056 564 572 1,590 1.978... 284... 2,189 3,536.. 2,383 3,541 3,556. 16. 1,002. 22. 132. 1,644 979. 113. 963. 1,407. 1,512. 269. 768. 117. 4. 709. 118. 999. 999. 189. 1 2,383 8,541 2211 57 2,273 1,063 1,644 423 963 88 1,267 1,512 768 117 769 116 599 403 869 239 188 56 1,795 529 900 1,397... 567 370... 802.. 802. 600 243 799. 7 1,016. 1,042 1,028. 7 1,550. 1,636 1,517. 1,232 25. 799.. 1,795 1,038.. 1,157 1,050. 1,642 1,650. 1,686 28. 1,232 141. 462 3. 126 1,060. 1,258 3. 80 14 1,061 1,499 987 2,608 1,831 1,979 1,550 2,864 1,037 1,255 1,773 1,153 2,044 2,121 1,948 2,608 2,293 1,306 1,537 1,854 1,458 1 527 109 1.258 1.896 2.016 1,318 1,746 1,670 1,359 644 2,638 2,373 1,365 533 241 1.897 2.005 1,547 1.319 1,523 1.749 2,044 1.633 1,696 1.357 1,593 643 2 2,502 2,681 2,390 9 1.889 9 1.894 593 241 1,992 1,303 1,628 1,728 1,628 1,728 1,629 2,054 2,854. 2,913 1,665. 3,386 843. 1,513 1. 1,122 1,303... 1,390 1,798... 1,629 2,054... 1,535 1,307... 953.. 953. 1,133 719 34. 1,233 364 347. 675 179 823. 1,296 794 403. 996 464 1,489. 2,146 1,486 337 1. 205 946. 1,419 261. 250 14. 474 40. 263

35. 2,048 112. 799 ... 398 66. 430 Total......104,993 60,279...106,185 76,477...132,359 74,497 The above figures give the official count of the vote for Judge of the Supreme Court and Superintendent Public Instruction on Oct. 14, as returned by the Execu tive Council. The returns for Governor and Lieutenant Governor will be counted by the Legislature. The total vote for Superintendent of Public Instruction and Supreme Judge this year is 165,272 and 182,662 respectively. Last year the total vote for Secretary of State was 200,856. Alonzo Abernethy's (Rep.) majority for

893 807 19

had a majority of 57,862 over Edward A. Guilbert (Lib.) for Secretary of State.

The actual vote this year in Iowa was, however, cast in many curious ways, the names of some of the candidates being incorrectly given on a large number of ballots. These are not included in the above table. In Black Hawk County. James Beck received 82 votes for Supreme Judge. B. F. Hall received 7 votes in Cherokee for Supreme Judge, and 159 in Chickanaw: and J. B.

Superintendent of Public Instruction over Daniel W. Prindle (Anti-Monopoly) is 44,714. Joseph M. Beck's

(Rep.) majority over Benj. J. Hall (Anti-Monopoly) for

Supreme Judge is 29,708. In 1872 Josiah T. Young (Rep.)

Hall received 1.981 in Clayton. There were also 3,56 scattering votes cast on an indefinite number of names. For Superintendent of Public Instruction there were 14 scattering votes, and also a large number of votes cast on incorrect names. T. W. Prindle received 45 votes in Black Hawk County ; D. W. Prindall, 1,153 in Boone, and E. W. Pringle, 6 in Cherokee. The other errors were as follows, making a total of 19,009 votes intended to be

cast for D. W. Prindle : Chickasaw... Davis... Fayette.... Floyd.... ..1,242 ..1,007 635 Total 9 393 Mouroe W. Prindie. 193 1,411 Black Hawk. Buchanan.... Total 2,611

THE COURTS.

A BROOKLYN SCANDAL.

MR. FIELD'S SUIT AGAINST THOMAS KINSELLA. Application was made on Tuesday last to udge Neilson, in the City Court of Brooklyn, by Emott. Hammond & Stickney, attorneys, of this city, for the arrest of Thomas Kinsella, editor of The Brooklyn Eagle, on a charge of criminal intercourse with the wife of Thomas W. Field, Superintendent of Public Instruction n Brooklyn, for the latter of whom these attorneys are counsel. Mr. Field demands damages to the amount of \$50,000. Judge Nellson granted the prayer, issued an order of arrest, fixed the amount of bail at \$10,000, and placed the order in the hands of the Sheriff of Kings County. Mr. Kinselia was arrested early yes terday morning and taken to the Sheriff's office, to which place he was accompanied by William C. Kingsley and Michael Chauncey, who offered themselves and were accepted as his bondsmen in the above-named amount,

Below is a copy of the affidavit of Thomas W. Field, on which the order of arrest was granted : City Court of Brooklyn: Thomas W. Field act. Thomas Kinsella.—Thomas W. Field being duly sworn, deposes and salts as follows: I reside in the City of Brooklyn, and I have com-

City Court of Brooklyn: Thomas W. Fleid act. Thomas Kinsells.—Thomas W. Fleid being duly sworn, deposes and salite as follows:

I reside in the City of Brooklyn, and I have commenced this action by the issuing and delivery of a summons to be served against Thomas Kinsells, who is also a resident of said City of Brooklyn; this action is to recover damages for debauching the virtue and alternating the affections from me of my wife, Emelina Field, and I claim damages for such injury to the tamount of \$250,000. I was on the 15th day of November last, and for twelve years prior to that time I have been, living with said Emeline as man and wife, and our residence during the same period has been in the City of Brooklyn. Since the month of August, 1872, the said defendant, Thomas Kinsells, has been acquainted with my said wife, Emeline Fleid. He bas derrosponded with her; they have made appointments and assignations; they have met secretly by such appointments, sometimes accompanied by another person and sometimes alone, at various places in the City of Now-York and Brooklyn, in the County of Kings, in the County of Orange, and in the County of Warren. The correspondence of said defendant Kinsella only came into my possession after the 15th day of November. It is of an amatory character, and leaves in my mind no doubt of the purpose and conduct of the said Kinsella and of my wife. On the 1th and 15th of November the said defendant. Such interviews were without my knowledge or consent. By such intercourse and by the acts and means which led to it, continued for more than a year, my said wife was at times in state of excitement and condition approaching unscendiness of mind, for which I had placed her under medical treatment in Orange County. The said defendant, Thomas Kussella, has debauched my said wife, has alterated and destroyed her affection for me, has broken up the peace of my family, and has dehauched my said wife, has alteracted and destroyed her affection for me, has broken up the peace of the said Emeline, th

THE SANDERSON-BOWEN LIBEL SUIT. The Sanderson-Bowen libel suit was con-

cluded yesterday in the Circuit Court before Judge Barnard and a jury. Before the summing up Mr. Britton made a preliminary motion to dismiss the complaint so far as the two Bowens were concerned. The ground of the motion was that the newspaper had been proved to be a corporation, and that each person connected with it stood in the relation of an agent. The two Bowens were in the position of agents. Mr. Sanderson, in opposition, claimed that it was proved that the Bowens were the proprietors, and recalled Henry C. Bowen, who testified that he was a stockholder in the corporation. He was employed by the corporation, as was also his son. Mr. Sanderson said that every one engaged in a trespass is severally and jointly liable; that he had the right to begin an action against any, each, and all of the men employed to run the machine, and that a man was a proprietor even if he did not own all the stock. Judge Barnard, in reply to this assumption, said :

Barnard, in reply to this assumption, said:
You obtained a judgment once against the corporation. It is contained in the pleadings, which is part of
the record in this case. I think the evidence is clear
that the corporation runs the paper, and that the agents
are employed by the corporation. I shail so charge the
jury. I think the two Bowens are clearly not responsible. The man who does the wrong is liable, and you
have your remedy, both against the man who knowingly
publishes the libel and against the corporation. I can
not, at this stage of the proceedings, dismuss the complaint, but I shail chargo the jury that these two men
are not proved liable.

These remarks of Judge Barnard are important. 426. 1,008 249 bic. The man who does the wrong is liable, and you have your remedy, both against the man who knowingly publishes the libel and against the corporation. I can not, at this stage of the proceedings, dismiss the compared to the post of the proceedings, dismiss the compared to the proceedings. It is not proved liable.

54 1,050 504 47

These remarks of Judge Barnard are important, at those two men at the proceedings of the proceedings.

although ex parte, as bearing on the question whether a stockholder can be considered and held as a proprietor. Mr. Britton summed up for the defendants, and was fol lowed by Mr. Sanderson in his own behalf. After the Judge's charge the case was given to the jury, who after about two hours' consultation, entered the court-room and rendered a verdict awarding \$3,300 to plaintiff.

QUEENS COUNTY COURTS. The Queens County Court and Court of

Sessions, Judge Armstrong presiding, assisted by Jus tices Snediker and Seaman, convened at the Court-house, North Hempstead, on Monday. The Grand July were in session one day, and found 11 indictments for various offenses, among them one for murder against Patrick Gilligan for the killing of Philip Reid Howard, at Jamaica South, on the 1st inst. In the case of James Lennon, who is held in \$10,000 as a witness against Giffa gan, his counsel made a motion for a reduction of the ball, which the Court refused. Donahue, who was arrested upon the confession of one Green, a convict is the Massachusetts State Prison, as being one of the murderers of James Graham, the Little Neck shoemaker, was ordered to be taken to Massachusetts for identification. Owing to the absence of District-Attorney Downing, by reason of illness, the Court appointed Thomas J. Youngs and John Fleming to represent the people in the

ing, by reason of lilness, the Court appointed Thomas J. Youngs and John Fleming to represent the people in the criminal soits.

The following prisoners were tried in the Court of Sessions, convicted, and sentenced: Joseph Seaman, grand lareeny, two indictments, State Prison six years, one year at hard labor; William Wolfart, burgary third degree, State Prison one year; George and Daniel Levi, petit larceny, County Jail four months each; Rtohard Ward and Alex, Burke, petit larceny, County Jail four months each; John Martin, grand larceny, State Prison one year. Barney Powers, Patrick Builer, and Daniel Flaharty, indicted for selling liquor without a license, gave bonds in \$250 to appear at the next term of Court. William Variey, alias Reddy the Blacksmith, was arraigned upon two indictments charging him with cruelty to animals and dog-fighting at Woodinven last March, Variey pleaded not guilty, and was admitted to bail in the sum of \$500. The Court adjourned yesterday for the term.

DUTY PAID ON A NAME.

In the United States Circuit Court, yesterday, in the case of Duden Frères agt. Thomas Marpay, as Collector of this port, heretofore reported in THE TRIBUNE, the jury found a verdict for the plaintiffs for \$182 03, in gold, as an excess of duty paid on imported laces. The Collector claimed that the laces were made of silk, and therefore subject to a duty of 60 per cent ad valorem. The plaintiffs insisted that they were known valorem. The plaintiffs insisted that they were known to the trade as thread laces, and therefore liable to a duty of only 30 per cent ad valorem. In his charge to the jury, Judge Shipman said, is effect, that not the marerial of which goods are made, but the name given to them by the trade, determines what they are for the purpose of paying duties on them. Isaac Phillip, Win. Stanley, and L. G. Clarke for the plaintiffs, and Assistant United States District-Attorney Tremain for the defendant.

CIVIL NOTES.

Louis F. Post was appointed, yesterday, an Assistant United States District-Attorney in the piece of Willet Denike, who resigned on account of ill health. In the Marine Court, Part I., before Judge Joachimsen, yesterday, the following inquests and judgments were taken for the plaintiffs in each case, with costs and \$25 allowances: Levy Bernstein agt. Patrick McDonnell, for \$290 29; M. Stafford for the plaintif, and H. Porter for the defendant. Philander Derby agt. Ed-ward B. Coulin, for \$283 17; R. W. Townsend for the plain-tiff, and John H. Trapp for the defendant.

The hearing of the testimony in the contested will case of Richard B. Butler, deceased, was resumed yesterday in the Surrogate's Court. Robert B. Butler the brother of the deceased, was cross-examined, but no new facts were disclosed. B. F. Dunning for the proponent, and Samuel G. Courtney for the contestant. In the contested will case of James Reility, deceased, the contest was withdrawn yesterday, and the will admitted to probate. The extate is worth about \$20,000. A. J. De Laney for the proponent, and Huga Coleman for the

In the Marine Court, Part II., before Judge Gross, yesterday, the following inquests and judgments